

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

THEODORE FLANAGAN,

Plaintiff,

VS

WALMART CORPORATION and
CONNIE K. WU,

Defendants.

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CIVIL NO. 9:24-CV-75-MJT-CLS

**MEMORANDUM ORDER ADOPTING THE REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE [Dkt. 7]**

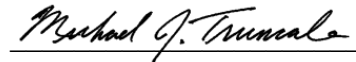
Pursuant to 28 U.S.C. § 636 and the Local Rules of Court for the Assignment of Duties to United States Magistrate Judges, the District Court referred this proceeding to the Honorable Christine L. Stetson to conduct all pretrial proceedings, to enter findings of fact and recommend disposition on case-dispositive matters, and to determine non-dispositive matters. *See* 28 U.S.C. § 636(b)(1); E.D. TEX. LOC. R. CV-72.

Plaintiff, proceeding *pro se* and *in forma pauperis*, filed suit on April 12, 2024, against Defendants alleging violations of his constitutional rights, the Health Insurance Portability and Accountability Act (“HIPAA”), and state law against the practice of medicine without a license [Dkts. 1, 4]. On June 3, 2024, Judge Stetson entered a Report and Recommendation [Dkt. 7] advising the Court to *sua sponte* dismiss Plaintiff’s claims without prejudice for lack of subject matter jurisdiction. Judge Stetson found Plaintiff lacked standing to bring his enumerated claims. Plaintiff did not object to Judge Stetson’s Report and Recommendation and the time to do so has passed. After careful review, the Court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

Accordingly, the Report and Recommendation of the United States Magistrate Judge [Dkt. 7] is ADOPTED. Plaintiff's claims are DISMISSED without prejudice for lack of subject matter jurisdiction. A final judgment will be entered by the Court.

IT IS SO ORDERED.

SIGNED this 3rd day of July, 2024.



Michael J. Truncala
United States District Judge